

Notice of Allowability	Application No.	Applicant(s)	
	10/014,531	HORIKIRI ET AL.	
	Examiner	Art Unit	
	Samson B. Lemma	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed on 06/02/2006.
2. ☒ The allowed claim(s) is/are 2-13, 16-18, 22-33, 36-38 and 41-42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
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DETAILED ACTION

1. The request filed June 02, 2006 for a request for continued examination (RCE) under 37 CFR 1.114 based on patent application 10/014,531 is acceptable and an RCE has been established. Accordingly, **Independent claims 1 and 21** are canceled and **Independent claims 41 and 42** together with dependent claims **2-13, 16-18, 22-27, 29-33 and 36-38** are amended. **Claims 14-15, 19-21, 34-35 and 39-40** were cancelled. Therefore claims **2-13, 16-18, 22-33, 36-38 and 41-42** are pending/examined.

Allowable Subject Matter

2. **Claims 2-13, 16-18, 22-33, 36-38 and 41-42** are allowed.
3. The following is an examiner's statement of reasons for allowance:
4. With respect to **the amended independent claims 41 and 42** the art on the record, namely Layton (U.S. Patent No. 6,829,478) discloses most of the limitation of the recited claims.

However, the art on the record namely Layton does not disclose or suggest the following particular amended limitation of the respective claims 41 and 42

"notifying detection information indicating that the physical phenomenon is detected to each of a plurality of portable terminals while giving priority to a portable terminal closest to the supervision area based on location information of each portable terminal, the location information being detected by using location detection function of each portable terminal"

As applicant persuasively argued, this particular underlined/highlighted limitation is not recited/disclosed by the reference on the record, namely Layton. None of the prior art of record taken singularly or in combination teaches or suggests **an information notifying apparatus comprising a supervision unit**

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adapted to supervise physical phenomenon in a predetermined supervision area; a first notification unit adapted with the following functional limitation “notifying detection information indicating that the physical phenomenon has been detected with the to each of a plurality of portable terminals while giving priority to a portable terminal closest to the supervision area based on location information of each portable terminal, the location information being detected by using location detection function of each portable terminal”

It is found that the underlined limitation enclosed in the respective independent **claims 41 and 42 is novel.**

For the reasons provided above, the independent claims **41 and 42 are allowed.**

It has been verified that no new matter has been introduced by this amendment.

Support for the above limitation is found by the applicant disclosure on page 6, lines 20-25

5. **The dependent claims 2-13,16-18,22-33 and 36-38** being further limiting to the **independent claims 41 and 42**, definite and enabled by the specification are also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

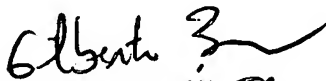
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA

S.L.

06/16/2006


GILBERTO BARRON JR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100